

Approved: Kathryn Martin
KATHRYN MARTIN
Assistant United States Attorney

Before: HONORABLE LISA MARGARET SMITH
United States Magistrate Judge
Southern District of New York

17-mag 06813

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	:	<u>SEALED COMPLAINT</u>
UNITED STATES OF AMERICA	:	
	:	Violation of
- v. -	:	18 U.S.C. § 1341
	:	
VINCENT MAFFUCCI,	:	COUNTY OF OFFENSE:
	:	WESTCHESTER
	:	
Defendant.	:	
	:	
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SOUTHERN DISTRICT OF NEW YORK, ss.:

KATHRYN SEARLES, being duly sworn, deposes and says that she is a Postal Inspector with the United States Postal Inspection Service, and charges as follows:

COUNT ONE

1. From at least in or about March 2014 through in or about June 2016, in the Southern District of New York and elsewhere, VINCENT MAFFUCCI, the defendant, willfully and knowingly, having devised and intending to devise a scheme and artifice to defraud, and for obtaining money and property by means of false and fraudulent pretenses, representations, and promises, for the purpose of executing such scheme and artifice and attempting so to do, did place in a post office and authorized depository for mail matter, matters and things to be sent and delivered by the United States Postal Service, and did deposit and cause to be deposited matters and things to be sent and delivered by private and commercial interstate carriers, and did take and did receive therefrom, and did cause to be delivered by mail and such carriers, according to the direction thereon, such matters and things, to wit, MAFFUCCI, a purported travel agent, organized a trip to World Youth Day in Europe in

July and August 2016, and caused others to send, via Federal Express and U.S. mail, approximately \$240,000 to him for expenses related to the trip, but, contrary to his representations and without the knowledge of the trip participants, MAFFUCCI used over \$227,000 of the funds for his own personal expenses.

(Title 18, United States Code, Sections 1341.)

The bases for my knowledge and for the foregoing charge are, in part, as follows:

2. I am assigned to the investigation of the above-described offense. This affidavit is based on my personal participation in the investigation, my review of documents, conversations with other law enforcement officers, and interviews with witnesses about this matter. Because this affidavit is submitted for the limited purpose of establishing probable cause, I have not set forth each and every fact learned during my investigation. Where actions, statements, or conversations of others are related herein, they are related in substance and part only. Where contents of any documents are described, they are also described in substance and in part only.

3. As part of the investigation, I have spoken with representatives from two Catholic parishes in Westchester County, New York ("Representative 1" and "Representative 2"). Based on my conversations with Representatives 1 and 2, I have learned, in substance and in part, the following:

a. Every approximately two to three years, the Catholic Church organizes World Youth Day, an event for young people. Each World Youth Day is held in a different global location and attended by young people from around the world, including many people from Westchester County. World Youth Day ("WYD") 2016 was held in Krakow, Poland.

b. Representatives 1 and 2 used a travel agency known as ITC Tours to organize their parishes' WYD trips. VINCENT MAFFUCCI, the defendant, was the owner of ITC Tours, and the person with whom Representatives 1 and 2 (and several other Westchester parishes) dealt to make travel arrangements for the trip.

c. Representatives 1 and 2 had each, successfully, organized past WYD trips with MAFFUCCI and ITC Tours.

d. With respect to WYD 2016, MAFFUCCI and ITC Tours provided the parishes with a printed brochure, which I have reviewed, which provides an itinerary and a list of what is included in the tour. Among other things, the tour was to include: "[r]ound trip airfare from JFK to Berlin returning from Budapest"; "Good 3 star hotels for 11 nights"; "Continental breakfast daily and 10 three course dinners"; "Entrance fees during sightseeing tours"; and "WYD and Solidarity fees estimated at \$175.00 per person." The brochure lists the "[c]ost per person" as "Triple \$2919 Twin \$3072 Single \$3515."

e. Approximately 45 people from Representative 1's parish registered to go to WYD 2016. In connection with those registrations, Representative 1 made multiple payments to MAFFUCCI, for those registrants' tour costs. Specifically, from in or about March 2014 through in or about May 2016, Representative 1 sent checks totaling approximately \$141,000 to MAFFUCCI in Las Vegas, Nevada. Representative 1 sent the checks from Westchester County, New York, via Federal Express ("FedEx") - using a FedEx account number provided to him by MAFFUCCI - to MAFFUCCI in Las Vegas, Nevada.

f. Approximately 24 people from Representative 2's parish registered to go on the WYD 2016 trip. From in or about March 2014 through in or about March 2016, Representative 2 sent \$71,804, by FedEx and U.S. mail, from Westchester County, New York to MAFFUCCI in Las Vegas, Nevada, as full payment for the WYD 2016 trip. Representative 2 believed, based on MAFFUCCI's representations, including as set forth in the brochure described above, that the payments would be used for tour expenses, such as participants' airfare and hotel expenses.

g. On or about June 12, 2016, MAFFUCCI sent an email to representatives from all of the parishes which had made arrangements with ITC Tours for the WYD 2016 trip, including Representatives 1 and 2, cancelling the WYD 2016 trip because of travel advisories and terrorism. In the email, MAFFUCCI promised full refunds to those who had already made payments.

h. To date, neither Representative 1, nor Representative 2, has received a refund from MAFFUCCI. When Representatives 1 and 2 asked MAFFUCCI to return the money they

had sent, he told them, in substance and in part, that the money was in Europe and he was working on getting it back. MAFFUCCI further told Representatives 1 and 2 that he was expecting a big inheritance, and he planned to use that money to reimburse the tour participants.

4. Representative 2 provided me with a copy of the June 12, 2016 email sent by VINCENT MAFFUCCI, the defendant, to the various parishes cancelling the WYD 2016 trip. In the email, MAFFUCCI provides six reasons for cancelling the WYD 2016 trip, including: "the advice of our attorney and the insurance company"; "[t]he terror attacks in Paris and Brussels Airport several months ago"; "the May 31 State Department travel advisory to Europe thru to August 31 . . ."; [t]he arrest of a French person on the Polish border 'armed to the teeth with bombs'; and "[t]oday's attack on a gay nightclub where at least 50 people killed and over 50 people wounded by a suspected Muslim terrorist." MAFFUCCI promised a "full refund to everyone registered on the tour," but cautioned that refunds would "take some time." The email further stated: "[t]here should be another WYD in two or three years, hopefully the world will be safer place at that time."

5. After VINCENT MAFFUCCI, the defendant, cancelled the tour, Representative 1 tried to make alternative arrangements for WYD 2016 with a competing travel agency ("Travel Agency 1"). Although Travel Agency 1 was ultimately unable to make reservations for Representative 1, the agency provided Representative 1 with a copy of a letter relating to MAFFUCCI and the WYD 2016 trip. Specifically, the letter is purportedly from a lawyer representing MAFFUCCI to a European vendor (the "Vendor") whom MAFFUCCI had hired to book hotels for WYD 2016. I have reviewed a copy of the letter. The letter - dated March 22, 2016, at least two months before MAFFUCCI cancelled the WYD 2016 trip - states, in substance and in part, the following:

a. MAFFUCCI had paid ten thousand euros in two wire transfers in September and December 2015 as a deposit for the hotel in Poland for WYD 2016. However, MAFFUCCI had experienced "a series of financial hardship which prevents him from fulfilling the balance for the hotel." The letter explained that MAFFUCCI was expecting "an inheritance which will allow him to fully complete his obligation" and asked the Vendor for "patience."

b. MAFFUCCI proposed several options, including, among others, having the hotel sell the rooms to someone else or allowing MAFFUCCI to satisfy the balance once he receives his inheritance.

c. The letter further requested that the Vendor "desist from contacting Mr. Maffucci's clients and Tour participants as that will be an intentional interference with his business."¹

6. Another law enforcement officer involved in this investigation ("Agent-1") has reviewed records for several bank accounts controlled by VINCENT MAFFUCCI, the defendant, and/or his companies. In particular, Agent-1 has reviewed records for the time-period 2014 through 2016, for: (1) a bank account in the name of "Prakash Enterprises" (the "Prakash Account") and (2) three bank accounts in the name of MAFFUCCI (the "Personal Accounts") (the bank accounts are collectively referred to as the "MAFFUCCI Accounts"). Agent-1 prepared an analysis of the records, which I have reviewed. According to Agent-1's analysis, the bank records show the following:

a. MAFFUCCI is the sole signatory for the "Prakash Account," which was opened on or about September 14, 2013.²

b. MAFFUCCI is the sole signatory for each of the Personal Accounts.

c. In or about March 2014, a \$13,000 check from Representative 2's parish was deposited into the Prakash Account.

d. As of June 2, 2014, there was only approximately \$267.68 in the Prakash Account. From in or about June 2014 until in or about May 2016, checks totaling approximately

¹ This same lawyer sent a letter to Representative 1's parish in June 2016 stating that she represented VINCENT MAFFUCCI, the defendant, and ITC Tours in connection with the cancelled WYD 2016 trip.

² I know based on my review of publicly filed documents, including documents from the Nevada Department of State, that VINCENT MAFFUCCI, the defendant, owned "Prakash Enterprises."

\$220,309 were deposited into the Prakash Account from various parishes and individuals for the WYD 2016 trip.³

e. From on or about June 2, 2014 to July 31, 2016, during the time period that MAFFUCCI was soliciting and receiving checks for WYD 2016, MAFFUCCI spent approximately \$43,000 from the Prakash Account on personal expenses, such as dining, fuel, and clothing. In addition, MAFFUCCI withdrew over \$94,000 in cash from the Prakash Account, and transferred over \$83,000 from that account to the Personal Accounts.

f. During that same time-period - June 2, 2014 to July 31, 2016 - only two transactions in the MAFFUCCI Accounts appear to relate to WYD 2016. Specifically, on September 9, 2015 and December 31, 2015, MAFFUCCI transferred approximately \$11,226 (10,000 euros) from the Prakash Account to a travel agency in Poland.

7. I have reviewed FedEx records relating to an account in the name of "Jubilee/ITC." Those records include numerous invoices for FedEx packages sent from parishes in Westchester County, New York to ITC Tours in Las Vegas, Nevada from in or about 2014 through in or about 2016.

8. Based on my review of court dockets, I have learned that in or about 2014, various Catholic Archdioceses sued "Jubilee Tours d/b/a ITC Tours," in state court in Nevada, in connection with a failed trip VINCENT MAFFUCCI, the defendant, had planned to Rio de Janeiro for WYD 2013. I have reviewed various court filings and other documents, including deposition transcripts, from that case. Based on my review of those documents, I have learned the following:

a. VINCENT MAFFUCCI, the defendant, cancelled the WYD 2013 trip shortly before it was to take place. At the time he cancelled the trip, MAFFUCCI claimed that he had already spent a significant portion of the funds he had received for deposits he made with various travel vendors. When the WYD 2013

³ Agent-1's review of the bank records revealed that prior to June 2, 2014, another approximately \$20,000 was deposited into the Prakash Account by WYD 2016 trip participants. I believe the approximately \$240,000 in checks are all related to WYD 2016 because they are from parishes that I know, based on interviews, to have used ITC Travel to make arrangements for the WYD 2016 trip.

trip did not occur for "unforeseen circumstances," he was unable to get back his deposits, and therefore unable to pay refunds.

b. In his April 2014 deposition, MAFFUCCI explained that the unforeseen circumstances preventing the trip from going forward as planned, included, a travel advisory, warning of drugs and riots in Rio de Janeiro, and several incidences of violence in the city.

c. Similar to what MAFFUCCI told Representatives 1 and 2, in his deposition, MAFFUCCI testified that although he was having difficulty procuring refunds from the European travel vendors, he had a "personal private source" of money - his girlfriend was expecting money from her father's estate - that he planned to use to refund the parishes.

d. Very few parishes and archdioceses received refunds from MAFFUCCI in connection with the cancelled WYD 2013 trip.

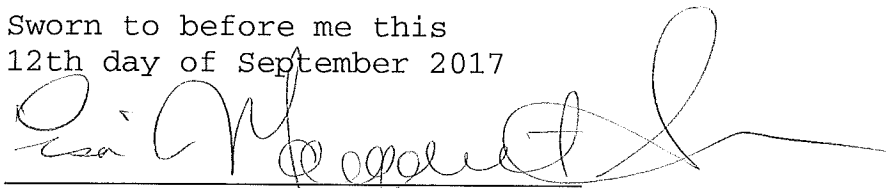
WHEREFORE, deponent prays that VINCENT MAFFUCCI, the defendant, be arrested and imprisoned or bailed, as the case may be.



KATHRYN SEARLES

Postal Inspector, United States
Postal Inspection Service

Sworn to before me this
12th day of September 2017



HONORABLE LISA MARGARET SMITH
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF NEW YORK